

1897-001 Chancery Causes. Lucinda Parsons & vs. Adm. of John M. Parsons &c
Lee Co.

Bailey, Marris, Orr, Tritt, Ely, Cecil, Barker, Hughes, Cox

1 Plat

CA-Estate Dispute
T-Property

To the Hon. H. S. K. Morrison, Judge of the
Circuit Court of the County

Humbly complaining, your peti-
tioners Lucinda Parsons, in her own right,
and, E. B. Parsons, ²son of G. Parsons, P. B. Parsons, ³Rebecca M.
^{Parsons} who are infants of tender years & who
are by said Lucinda Parsons their mother and
next friend, respectfully sheweth unto
your honor:

§3636 That John M. Parsons on the
8th day of April, 1893 departed this
life intestate seized and possessed
of a small real and personal es-
tate, - the real estate lying and being
in Lin County in the Poor valley
country and some four or five miles
eastward from the town of Penning-
ton Gap, Va., and is the land deeded to
John M. Parsons by ^{Francis John} Wm. Pennington, James Parsons &
that your infant petitioners are
children of the said John M. Parsons
decd. and your petitioner Lucinda Par-
sons is his widow; that your widowed
petitioner, although entitled to dower
in her said husband's real estate, has
not claimed nor received dower out of
the same; and that the said John M.
Parsons up to the time of his death
was a householder and head of a family

and resided in this County & State.
and to agree extent was indebted, but as to how much your
Your petitioners will further
show unto your honor that the said
John M. Parsons in his life time did
^{not} have set apart any real estate, (or
other estate) as by law he might have
done as an ~~and~~ homestead; and
that your petitioners Lucinda Parsons
has set apart \$428⁰⁰ worth of
personal property and choses in ac-
tion, since the death of her said hus-
band; & that your petitioners are
informed and advised by the laws
of this State in which they now reside
they are entitled to have set apart
as a homestead exempt from sale
to the amount of \$2000⁰⁰ either
real and personal estate and choses
in action. The said John M. Parsons
left surviving him as his heirs
at law in addition to your infant
petitioners, H. F. Parsons, Emily J. Parsons,
James E. Parsons, and Shelby H. Parsons
who are above the age of 21 years.

The premises considered your
petitioners are advised that they are
by law entitled to have Courts appointed
by the Court to have \$1572⁰⁰ worth
of said real estate set apart to be

held by them until by law such homestead so set apart shall expire and
cease.

The premises considered the
prayer of your petitioners are that the
said H. F. Parsons, Emily J. Parsons,
James E. Parsons & Shubby H. Parsons
be made parties defendants to this petition
that an order be made herein ap-
pointing Commissioners to go upon
said premises and set apart to your
petitioners a homestead in said land so
that the same inclusive of the person-
al property & choses in action already
set apart does not exceed \$2000 in
value, and that such Comrs. be re-
quired to report their action to Court
And that all other further & general
relief be granted them as the nature
of this cause may require. And
they will ever pray &c

Pennington & Gains
for petitioners

Atty Gen
Coun

Lucinda Parsons

vs Petitioner

St. C. 6.20 July 93 Paid

Plffs Costs vs S. Parsons et al

Hyatt Clerk 6.00

Munsey " 11.66

Leino Counr " 18.00

Counr 60.00

Co Clerk 3.68

Sheriff 9.00

Const 20

Wito 1.06

atty 415.00

Co C 10.25

128.02

Plaintiffs recovers \$1328

vs S. H. Parsons

Counr 12.00

Wito 6.28

Clerk 1.79

Co C \$20.07

1893, June Term

Decided, Decr

" + continued

1894 Nov Term Could

1894 Could this year

1895 Could this year

1896 Could this year

Lucinda Parsons

25.

H. F. Parsons, Admr &c. et als.

All matters in dispute in this cause having been heretofore adjudicated, and there being nothing further to be done herein, it is ordered that this cause be stricken from the docket.

Lucinda Parsons
23 $\frac{3}{2}$ Chy.

H. G. Parsons, Admr.
& c. also

Decree Final.

Eu. C. O. B. No. 6. p. 11

Enter this decree
June 14th 1897.

W. F. M.

Lucinda Parsons.

Plaintiff.

vs.

In chancery.

H.T.Parsons, Admr.&c. et als.

Defendants.

This cause came on again this day to be heard upon the papers formerly read herein, the report of C.C.Elliott, W.P.M. Stewart and E.W.Cecil, Commissioners appointed to partition the lands owned by John M.Parsons at the time of his death, and to assign dower to his widow, filed on the 28th day of February 1894, the report of A.M.Goins, Special Commissioner, filed on the 22nd day of May 1894, and statements "A" and "B" and depositions therewith, the exceptions of S.H.Parsons, one of the defendants, made to said last named report, and was argued by counsel. And there being no exceptions to the report of the Commissioners who partitioned said land, it is adjudged ordered and decreed that said report and the partition therein named be and the same is hereby confirmed. It is further adjudged, ordered and decreed that Lucinda Parsons take and hold the lot marked dower on said plat by the metes and bounds thereof for her life as and for her dower in the lands owned by her husband John M.Parsons at the time of his death: that Parris B.Parsons take and hold lot No.1.: that Rebecca M.Parsons take and hold lot No.2.: that William G.L.Parsons take and hold lot No.3.: that Emmet E.Parsons take and hold lot No.4.: that Shelby H. Parsons take and hold lot No.5.: that James E.Parsons take and hold lot No.6.: that Emily J.Parsons take and hold lot No.7. and that H.T.Parsons take and hold lot No.8.: each in fee simple by the several metes and bounds thereof as shown in said report and designated in said plat, and the Clerk of this Court will deliver said plat and report together with a copy of the decree directing said partition and a copy of the decree confirming the same to the clerk of the County Court to be by him recorded in the proper deed Book as a muniment of title to the parties to whom allotments are made. And it further adjudged ordered and decreed that the exception to the report of Commis-

sioner A.M.Goins be overruled, and that said report and the statements "A" and "B" be and the same are hereby confirmed. On consideration whereof it is further adjudged, ordered and decreed that each of the persons mentioned in statement "A" recover of H.T.Parsons, Admr. of John M.Parsons, deceased, the sums therein ascertained to be due to them with interest on the principal of each sum thus found to be due them from the 4th day of June 1894 till paid, to be paid by the said H.T.Parsons out of the fund in his hands yet unadministered. It is further adjudged ordered and decreed that said Administrator out of the funds in his hands pay the costs of this suit to be taxed by the Clerk, except the sum of \$18.25 which it is adjudged shall be paid by S.H.Parsons, the same being for the claims of the witnesses who attended before A.M.Goins, Comr., in the taking of the last account, taken by him, and one half of the fee of said commissioner, said commissioner having reported that this was extra costs caused unnecessarily by the said S.H.Parsons.

For all sums paid by him said Administrator will take receipts and the same when so taken will constitute a credit to him on his indebtedness to said estate, and when said Administrator makes the payments herein directed to be made by him he will file a report of his proceedings together with the vouchers therefor. And this cause is continued.

Lucinda Parsons

vs. ~~Wm~~ Deere

H. J. Parsons Admr et al

Confirming Court's report
of partition of lands &c
& also confirming report
of A. M. Gains Court &c.

Ent on Chy. Or. Book 4 P. 24.

(13)

Enter this decree

W J M

June 13th 1894.

Subj. of Court

Lucinda Parsons

Ref

(In ch)

against

vest

This cause came on this day again to be heard upon the papers formerly read - and the report of A. M. Gould

Killed Feb. 16. 1894; and was argued by
Counsel, and it appearing by said
report that, the claims against the estate.

of the decedent has not been properly
proven, said report is recommended to
said Commissioner who will after due

notice convene the creditors and take
state & settle said Adams account. He
will report what effect if any went into

his hands or by due diligence could have gone into his hands, and whether or not all of said property was by

and as for bonds; He will report the
debt, their amount, and to whom due,
and hear proof as to all assets alleged.

He will when the occasion arises, when
the actor qualifies, and when and in
what manner he has managed said

estate. He will report any pertinent
deemed proper by himself or required
by either party to this Court at its next

term & de Cause is Continued.

Lucinda Parsons

as }
Secrecy

H. J. Parsons

March 7. 1894

Entered Chy. Book
Page 592
mch 15 " 94

Enter this
March 15. 1894
H. J. K. M.

Lucinda Parsons et al Compts
vs } In Chancery
H. J. Parsons et al Defs

This Cause came on again
to be heard by consent of parties
and the order ^{of continuance} heretofore entered
at this term of the Court by con-
sent of parties is ~~rescinded~~ and
set aside. And by consent of
parties, it is adjudged and ordered
and decreed that C. C. Elliott,
W. D. M. Stewart, E. M. Cecil
and who are here-
by appointed special Comrs.
for the purpose do go upon
the land in this Cause mentioned
and lay off and assign to Mrs.
Lucinda Parsons widow of said
John M. Parsons dies for her life
one-third of the real estate in
rental value, including the
dwelling house, and outbuildings,
of which said John M. Parsons died
seised and possessed; and said
Comrs. will further divide said
land of which said Parsons died
seised into eight equal parts and
in such a way as to leave the said

the court renders its full and complete

widows dower to be equally on
each part and they will assign
to each of said eight ^{the} Epitaph one of said shares and
the shares of the infants if it
can be done without prejudice
to the rights of others, ^{they will assign} adjoining
to each other and nearest to said
widows dower, and also in
making such partition and as-
signment said Courts will have
due regard to timber, ways, waters
&c and ~~at~~ each of said assignments ~~make~~
equal in value. And said Courts
will report their action to this
Court ~~and it is which this~~

~~And John~~
A. G. Hyatt one of the corner of this
Court will take & state the account of
H. G. Parsons admr. of John^M Parsons
deceased and show what assets went into
his hands or could have gone therein by
due diligence, and what debts are owing
by said estate to whom & when payable
He will report his action to this
Court at its next term and
the Cause is continued.

Lucinda Parsons

vsy ~~Deer~~

H. J. Parsonette

Entered Ch. O.B. p. 540'41
Nov 17th 1893.

Enter this
Nov. 17 1893

H. J. K. M.

11

Lucinda Parsons

Against } Our Petition
H. J. Parsons et al } for Homestead

This Cause came on this day to be again heard upon the papers formerly read and the report of M. L. Stallard A. K. Debusk and J. E. Hobbs filed Oct-21- 1893. And upon the demurrer of Shelby H. Parsons one of the defendants herein to said Petition And was argued by Counsel. On consideration of which and for reasons appearing to the Court said demurrer as to said heir is sustained. And the Court being of opinion that the Homestead exemption does not apply as against the heir but does apply against the Creditors; It is therefore ordered that

A. M. Gaines who is hereby appointed ascertain and report what debts if any are un-paid due by said estate to whom and when due; and whether or not they are such debts as the Homestead exemption applies. He will report his action to this Court at its next term and the cause is continued.

Lucinda Parsons

25
Decrue.

H. S. Parsons et al.

Nov. 7. 1893

Entered Ch. O.B. p. 529
Nov. 14th 1893.

Enter this
Nov 15. 1893
H. S. N. 44

Lucinda Parsons et al } On a Petition
vs. } To Have Home.
H. T. Parsons et al } Stand set Apart.

This cause came on this day
to be heard upon the petition of the
plaintiffs and was argued by counsel:
On consideration of which and
for reasons appearing to the Court
it is adjudged, ordered and
decreed that A. K. Nebush, J. E.
Hobbs and M. L. Steward who are
hereby appointed commissioners
for the purpose will go upon the
lands in the petition mentioned
and set apart to said petitioners
enough of said lands to amount to
\$1572⁰⁰ in value as and for an
homestead for said petitioners.
and they will report their ac-
tion to Court in writing at a fu-
ture term thereof, until which
time this cause is contin-
ued.

Lucinda Parsons et al

vs { Deane no 1

H. P. Parsons et al

Entered on OVB,

Page 488.

June 8, 1893

J. A. Hyatt C

Enter this
June 8th 1893
H. P. Parsons

Virginia

At a Circuit Court continued and held for Lee County at the Court-house thereof November 17th 1893.

Loucinda Parsons Comptts
vs
H. T. Parsons et al Defts } In Chancery

This cause came on again to be heard and by consent of parties the order of Continuance heretofore entered at this term of the Court by consent of parties is set aside. And by consent of parties this cause came on again this day to be heard & by like consent the Court renders the following decree. It is adjudged, ordered, and decreed that C. C. Elliott, W. P. M. Stewart & E. M. Cecil who are hereby appointed special Commissioners for the purpose do go upon the the land in this cause mentioned, and lay off and assign to Mrs Loucinda Parsons widow of Said John M Parsons, deceased for her life one third of the real estate in rental value including the dwelling house and out buildings of Said John M Parsons died seized and possessed; and Said Commissioners will further divide Said land of which Said Parsons died seized into eight

equal parts and in such way as to have said widow's dower to bear equally on each part, and they will assign to each of said eight children one of each Shares, and the Shares of the infants if it can be done without prejudice to rights of others, they will assign adjoining to each other, and nearest to said widow's dower. In making such partition, and assignments said Commissioners will have due regard to timber, ways, water &c, and each assignment make equal in value. And said Commissioners will report their action to the Court. And ~~A. M.~~ Goins one of the Commissioners of this Court will take and State the Account of H. T. Parsons Administrator of John M Parsons deceased, and show what assets went into his hands or could have gone therein by due diligence, and what debts are coming by said estate to whom and when payable. He will report his action to this Court at its next term. And the Cause is Continued

A Copy

Teste A. B. Munsey Clerk

Louinda Parsons
or } Copy of Deed
H. T. Parsons

Lucinda Parsons
3 Copy. of
203 Decree

H. J. Parsons et al

Executed July the
8th 1893 by delivering
a copy of the
within sums to
A. K. Deluck J. C.
Holler & M. L. Stalley
This July 15th 1893.

L. M. Wade Deft
for C. E. Flanery

S. L. C.

150
220

Lucinda Parsons
vs. } In Chy.
H. T. Parsons et als.

The depositions of H. T. Parsons, A. J. Bailey, Rolly Harris, C. D. Orr, J. E. Parsons, and James Britt,

taken before me A. M. Lewis, Special Comm. in the above styled cause, on the 25th day of Apr., 1894, to be read as evidence in the determination of the questions referred to me as said commissioner.

Present: Lucinda Parsons by herself and counsel, H. T. Parsons, Admr &c, S. H. Parsons, J. E. Parsons. H. T. Parsons, a witness of lawful age, being first duly sworn deposes and says:

My father died the 8th day of Apr. 1893, and I qualified at the May term of the County Court 1893. I sold the property that went into my hands as Admr. as shown by the sale bill now of record in Will book 4, p 179, in the County Court clerk's office. I sold

all the property that went into
my hands as said Admr.

There was sold on the 20th day
of Jan. 1894, at the public sale
property amounting to the
sum of \$144.46 as shown by
the sale bill. Before this date,
at a private sale there was sold
property amounting to \$46.50,
as shown by said sale bill.

There were notes which came
into my hands to the amt. of
\$281.90; and accounts to the
amount of \$35. These are
all shown by said sale bill.

The property that was sold
at the private sale was not
appraised and is therefore
not on the appraisement bill,
neither are the notes or accounts.

The sale bill shows all the property
that went into my hands, or that
ought to have gone there in, that
I knew any thing about. I sold
all of said property.

I have managed said estate
to the best of my ability, and
as I have thought the law

required me to manage it.

Ques.

Why was it that the property was not sold sooner after your father's death?

Ans.

Because there was a homestead proceeding instituted by my mother and the property was in dispute, and I did not think that I had a right to sell until this proceeding was settled. Said homestead proceedings was filed by my mother at the June term, 1893, of the Circuit Court. She attempted this proceeding in the County Court at the May term, but the court would not entertain said proceedings.

X Examination

quest-1 Did not your father at the time of his death own a lot of oats, corn wheat & hay?

Ans. He owned some corn, hay and oats. I do not know exactly how much corn, but I estimated it at from 40 to 45 bushels. I gave in \$10 worth of hay in my sale bill, and this included all the hay, except the butt of a stack of about \$100 worth. There was two small

wagon loads of oats, which I estimated as being worth \$8⁰⁰/₁₀₀. These oats I fed out to the stock left by my father. Then 40 or 45 bu. of corn and the hay, that I did not sell, was fed out to the stock.

Quest. 2 State if one Whig Barker did not owe your father's estate an account, if so have you collected the same as his administrator?

Ans. I never knew of such account.

Quest. Did you not tell James Parsons father about one month ago that said Barker owed \$340 to the estate

Ans. I did not.

Quest. Did not said Barker tell you that he owed said account?

Ans. He did not. He told me that he had bred two cows to my father's bull, ~~then~~ said that he told my father that he would pay him for it, and that my father told him not to mind it, that he did not charge him for it.

Quest. State whether or not the children claimed any of your father's property & you as administrator turn the same over to them?

Ans. They claimed some cattle, but I do not know how much, as I did not pay any attention to their claims, I sold all of said property.

Quest. Did you not have higher bids on one some mare at said sale which you report as bringing \$525

Ans. I was not the auctioneer at said sale, and did not hear any higher bids.

Quest. Were you present all the time to see that said sale was properly conducted?

Ans. I was near by; but I do not know that I heard every thing that was going on.

Quest. Were you near enough to see & know that the property was knocked off to the highest bidder?

Ans. I suppose I was.

Quest. Did you not order bidders out of the house away from where the sale was being had.

Ans. I did not. In the morning, before the sale occurred I told S. H. Parsons, after the trouble occurred

between him and J. E. Parsons, that he had better get out, that the sale would not be in the house but out of doors; to get out of the house.

Quest. Is it not a fact that you quarrelled with said Parsons for the purpose of getting him away from said sale knowing that he was there for the purpose of bidding on certain property?

Ans. I did not. I did not quarrel with him at all.

Quest. Was anything sold in the house after you ordered said Parsons out?

Ans. Not that I know of.

Quest. How far away from where the sale was being had were you at any time during said sales?

Ans. I don't guess that I was further than ten steps, as well as I remember.

Quest. Was the property reported by you as purchased by Lucinda Parsons sold at public auction to the highest bidder?

Ans. No, Sir; she kept it at the appraised price.

Quest. State whether or not a sawed
Barn pattern went into your
hands as administrator, if so
how much lumber was there
in same & how did you dispose
of it.

Ans. ~~It did;~~ and the ~~width~~ kept
~~it~~ ~~at~~ the appraised value of \$25;
I do not know how many
feet was in it, but the bill
called for 8215 feet.

Quest. Do you think that is anything
like a fair cash value for same
& was this the best price you
could have gotten for it?

Ans. I do think this was a fair cash
value; The lumber was of a very
inferior class - split, knotty and
warped about.

The last question and answer are
excepted to be cases outside of this
inquiry directed to be made by the
Commissioner, outside of any issue
in the case and not embraced in
any pleadings made up.

N & H Atty. for Answer

Quest. Please state if it is not a fact
that ^{you} attempted to persuade Ed Cecil
& Jack Cecil to plead the statute

of limitations as to their accounts in
favor of your father's estate &
then ^{afterward} pay the same ^{after}

Ans. I had been informed by different parties that I could not collect debts that there ~~was~~ ^{were} no written accounts of, and I told Ed Cecil that I would investigate this question and that if such was a fact that he could keep what he was owing and pay it to ~~my~~ mother. I told him that I would investigate - and let him know about it, which I did. I saw an attorney, took his advice, and did tell said Cecil that such was not legal and he would have to pay said account. I did ask said parties for them to plead the statute of limitation, if it was legal for them to do so.

And further this deponent saith
not.

J. T. Parsons

A. J. Bailey a witness of lawful age
being duly sworn deposes & says.

1 Question. Were you acquainted with
John M Parsons in his lifetime.

Ans I was.

2 Question. Were you at his place about
The time of his death.

Ans I was.

3 Question If your attention was called
to the corn then on hand, and in ~~your~~
Parsons crib please state about how
much there was of it?

Ans. My attention was called to the
corn. One of the boys and my-
self was at the crib feeding.
My best opinion is that there
were about 50 bu. of corn.

Ex -

Quest. If you noticed or know about any
oats or hay belonging to said
Parsons estate, please state about
how much there was of each &
a fair cash value of same?

Ans. I noticed about some oats,
but I do not recollect any
hay. There might have been
60 or 70 doz. My best opinion
is there were about 70 doz.
I do not know what they were
worth per doz. - they were good
oats - I suppose they were worth

Wilkins
claims
1 day
50 cts

+ 14 miles
over 10 gins
+ coming
56 cts.

about 15 cts per doz.

And further this deponent saith
not.

S. J. Berry

1 Rolly Morris, another witness of law
ful age being duly sworn deponent says
question. How near do you live to the
house of John M Parsons, where he lived
and died.

Ans About 1 mile.

2 question Did you observe the
corn belonging to Mr Parsons at
the time of his death.

Ans I did.

3 Please state what amount of
corn he then had

Ans. I suppose from the looks of the
pile in the crib that there were
from 45 to 50 bu.

If you noticed the oats & hay
& wheat belong to said Parsons
at the time of his death please
state about how much of each
& what was a fair cash value of
same.

Ans. I helped to cut the oats, but I do
not know how many there were
I expect there were 100 doz of said

oats at the time we cut them.

I do not know any thing about any hay. There was some wheat there, but I do not know how much.

If you know anything about a sorrel mare, & Brown Horse please state what you would regard as a fair cash value for each at the time of ^{the} sale by H. Y. Parsons Administrator of said Parsons

Ans. I knew the horses and have worked them. I regard the mare as worth about \$20 at the time of the sale and the horse at \$30.

And further this deponent saith not.

R. W. ^{his} Mars
mark

C. D. Orr, a witness of lawful age, being first duly sworn, deposes and says:

I was at the sale of the personal estate of John M. Parsons and when the sorrel mare was sold. I asked Shesby Parsons to bid louder for said mare, so he could be heard - I asked him twice

I think, I do not remember his exact words, but he did not bid any more, ~~but~~ and remarked that he did not care, that his mother was bidding for her. I would not give any thing for said more on that day - I would not have wintered her for her.

~~X-Examined.~~

~~I was right at Shelby Parsons back when he bid. He was about~~

And further this deponent saith not.

C. D. Orr.

J. E. Parsons, a witness of lawful age, being first duly sworn, deposes and says:

I am a son of the late John M. Parsons, and was living at home at the time of his death. My father at the time of his death had 30 or 40 bu. of corn - not over 40 bu. At the time of his death there was 60 doz. oats on hand. I ~~hand~~

said oats about a week after my fathers death, and I counted said oats, and I know how many ~~oats~~ there ~~were~~, there ~~was~~ only 60 doz. These oats were worth 15 cts per doz. There ~~was~~ ^{were} two stacks of timothy hay on hand at the time of my fathers death, \$10 worth of which was sold by my mother and H. J. Parsons to H. L. Sprinkle. There was about \$1⁰⁰ worth of hay left in the stack. I do not remember any millet hay at the time of my fathers death.

The lumber in the old house was put there as a loft at the time the house was built.

The brown horse is, I think, 12 years old this spring. And for the last 5 years has had a deficient leg. I think this horse was worth \$25 or \$30.

The barn puttern was very inferior quality of lumber and it was worth \$20 or \$25 to a man who wanted it. I would not have paid \$5 for it for my own use.

When the oats was put up there was 104 doz. of them. I was to have some of them for helping sow, harvest and take care of them, and after my father's death I fed our horse on said oats until the latter part of May. I averaged about three bundles per day.

So much of the foregoing testimony, as seeks to set up a contract between the decedent and J. M. Parsons deceased is excepted to, the witness is not competent to testify against a deceased party, he is one of the parties.
A. J. Williams
W. J. Williams

Across examint.

Did you feed your horse anything but oats, during the time you speak of?

Ans. I did - I fed it corn.

2 Where did you get the corn?

Ans. I raised it.

3 Was it in the crib with your father or separate?

Ans. Separate.

4 Did not Shelby ~~Hobb~~ Pearson break up the oats land?

Ans. He did not.

5 Did he not aid in sowing & harvesting the oats?

Ans. He did not in harvesting, I believe he harrowed the oats in - I am not positive, I do not know who put them in the pen.

6 If there is 8000 feet of poplar lumber in the same pattern, is it not worth more than \$5.00 for stove wood. What is it worth for that purpose?

I cannot answer the question.

7 Is there not ill feeling
with the family against
Shelby, and has there not
been an effort to keep him
from his part of the land
and property by the rest of
the family?

Ans. There is ill feeling. There
has been no effort to keep
him from his part of said
property.

And further this deponent saith
not. J. E. Parsons

James E. Tritt, a witness of
lawful age, being first duly
sworn, deposes and says:

I was acquainted with
John M. Parsons in his
life time. I was at his house
the day he died and ~~on~~
the day he was buried. I
saw the corn that was in
his crib, I think there was
not over 40 or 45 bu., ~~in~~
~~the crib~~ if that much

And further this deponent saith
not.

James E. ^{Tritt}
mark

Virginia, Lee County, to-wit:

I, A. M. Guins, Special Commr.,
in the above styled cause, do here-
by certify that the foregoing dep-
ositions were duly taken before
me under oath, and that the
same were subscribed by the
parties in my presence.

Given under my hand, this
May 17, 1894,

A. M. Guins,
Special Commr.

(" " " ")

Lucinda Parsons

vs } Depositions for
Defendants.

H. T. Parsons & als.

Witness dated 1.06

Lucinda Parsons

vs.

H. T. Parsons & al.

In Chy.

The depositions of Joseph Ely, Zachariah Cecil, Edward Cecil, C. W. Barker, C. D. Orr, John T. Hughes & others, taken before me, A. M. Goins, Special Commr. in the above styled cause, on the 25th day of Apr., 1894, to be read as evidence in behalf of S. H. Parsons in the determination of the questions referred to me as said Commr.

Present: Lucinda Parsons by herself and counsel, S. H. Parsons by himself and counsel, also H. T. Parsons, Admr., &c., & J. C. Parsons.

Joseph Ely, a witness of lawful age being duly sworn deposes & says

Question

Please state whether you were acquainted with any of the property belonging to J. M. Parsons' estate purchased by Lucinda Parsons from H. T. Parsons admr., if so what was a fair cash value for each same.

This question and any answer thereto is objected to, because the appraiser's bill of the property made by me is ap-

pointed for that purpose is the best
and only evidence of the value of said
property. 2nd Because it is not ge-
nual to the inquiries directed to be
made by the Commissioner

Harrison & Hyatt for
Admrs 76.

Ans. I have seen the mare about the
place, but I do not know that
I had seen the other property
for a year or two. It looked
like the mare ought to have been
worth \$20 or \$25. I could not
give you the value of the other
property.

Quest. I ~~State~~ whether or not you saw
or noticed a lot of corn belonging
to said John Parsons at the
time of his death, if so, how
much was there & tell what
you know about it.

Ans. I saw a ~~branch~~ of corn in the
crib as I passed along, there might
have been 75 or a hundred bu-
shels, or there might not to have
been that much.

And further this deponent saith not.

Joseph ^{his} X Ely
mark

Witness
claims

1 day

50 cts

and 8 cts
mileage

1
Zachariah Cecil, a witness
of lawful age being first
duly sworn deposes and says:

I owed a debt to John M. Par-
sons in his life time. I con-
sidered I owed him \$10, I have
since paid \$2 $\frac{25}{100}$ to Lucinda
Parson on that debt.

Tyler Parsons ask me that
if he would not be liable
for said debt, if I would not
as soon pay ~~said debt~~ ^{it} to
his mother Lucinda Parsons.

My meaning is that I owed
Parsons \$10 and the balance
of \$2 $\frac{25}{100}$ as above.

X Examination.

John M. Parsons had said
something to me about bacon
before he died. I believe he
said that if he wanted any
bacon he would know
where to get it. I told him
he would know where
it was at.

There had been no settle-
ment between Mr. Parsons
and me before he died.

I had a transaction with

with John M. Parsons in regard to his painting my house. He wanted to aid me in painting it and I told him I did not have the money, he said if I would get up the money and buy the paints - he would help me put it on and I could pay ~~me~~^{him} when I got ready and if I never paid him he would never ask me for it.

Re-Examination

I expected to pay Mr. Parsons for his labor, and was willing to pay him the sum spoken of above.

And further this deponent saith not.

J. M. Cecil

Edward Cecil, another witness of lawful age, being first duly sworn, deposes and says:

Out side of the note I owed Mr. Parsons, I also owed him an account which was not due until about the date of his death.

Witness
claims
60 cts
32 mil
82

Mr. Tyler ^{Parsons} ask me if I would claim the statute of limitation on this acct, and then pay it to his mother some time.

I saw a pile of lumber lying in a ~~rick~~ said to be a pattern for a barn. Lumber in that neighborhood, that is fair average poplar lumber, was worth at the time of said sale from \$12.50 to \$15 per 1000 feet

X - Exam.

I am acquainted with J. E. Hobbs, J. T. Hughes and R. F. Oakley. These are men of good judgment. I never saw them judge any lumber.

I did not owe John M. Parsons any other acct. than the one spoken of.

Re - Ex.

I was acquainted with a bay horse owned by John M. Parsons at the time of his death. I think said horse was reasonably worth \$75. -

I was also acquainted ^{with} ~~the~~
a sorrel mare owned by
said Parsons, and I think
said mare was reasonably
worth \$20 or \$25.

Re. X. Ex.

The bay horse spoken of
by me might by some
people be called a brown
horse. I don't know
his age, nor I don't know
his condition at the time
he was appraised or
sold.

And further this deponent saith not.

E. W. Cecil

E. W. Barker, a witness of
lawful age, being first
duly sworn deposes and
says:

I consider ~~that~~ I owed
John M. Parsons at the time
of his death about \$1.75; I
still owe this sum.

I was present at the sale
of the personal effects of
John M. Parsons, there was

Witness:
claims
5-0 cts
32 cts
82

no lumber sold publically
that I know of.

X - Examination

The \$1.75- which I consid-
ered I owed Mr. Parsons
was for the ~~season~~^{service} of his
bull. I told Mr. Parsons
afterwards that I had
bred my cow to his bull,
he told me that he did
not charge me anything,
but that if I wanted to
that I could some time
pay something toward
keeping up said animal.
I never told the Admr. any
thing about this transaction
until about a week ago,
when I told him the facts
as above detailed.

And further this deponent saith not.

C. W. Barker

C. D. Orr, a witness of lawful
age, being first duly sworn,
deposes and says:-

I had two cows served by Mr. Par-
son's bull in his life time -

Witness claims

50 cts

32 cts mi

82

Witness claims
50 cts
24 cts. mi

75-

Mr. Parsons did not charge me any thing for it, but I considered that I owed him \$2⁰⁰ - though I was not bound to pay it, unless I chose to do so - I did pay Lucinda Parsons, the widow of John M. Parsons, \$2⁰⁰ after his death. And further this deponent saith not.

C. H. Orr

John T. Hughes, another witness of lawful age, being first duly sworn, deposes and says:

I was one of the appraisers of the personal estate of John M. Parsons - I examined a pile of lumber for a barn pattern. I was present on the day of sale. I do not know what amount of lumber there was in this pattern, but I guessed it at about 5000 feet. It was very inferior lumber - I pronounced it cull'd lumber - It was cracked

at the ends and warped. This lumber was not offered for sale on the day of sale. I had advised the widow to take ^{such property as she wanted} ~~the lumber~~ at the appraisement, to keep down any fuss. I can't say that I was informed that the widow would take the lumber at the appraisement before it was appraised or not.

X-Examined.

It would have made no difference in my appraisement even if I had known the widow was going to take it before I did appraise it. I valued said lumber at what I thought to be its fair cash valuation.

I valued the ^{bay} ~~soxied~~ horse at \$30 and the sorrel mare at \$20. I was the auctioneer who cried off the property on the day of sale. The sorrel mare was sold publicly and

and was purchased by Mrs. Lucinda Parsons, the widow at the sum of \$5.25.

The bay or brown horse was not sold, the widow took him at the appraisalment.

Witness
claims
50 cts

The sorrel mare was started by S. H. Parsons at a bid of \$5.00. Mrs. Parsons met bid \$5.25; and there was no other bid that I heard. If I had heard any higher bid I would have cried it.

And further this deponent saith not

J. D. Hughes

Erst Cox, another witness of lawful age, being first duly sworn, deposes and says: I saw about 29 plank in an old house on the land of John M. Parsons - about 200 or 300^{feet}, worth about \$^{per 100 ft.} 50. I do not know whether this lumber was sold with the baris pattern or not - it was not piled

17
I noticed the
corn of John M
Parsons a while
after his death
and I estimated
it at 75 to 100.
Corn was worth
50 in that com-
munity;

up with it. (*)

X-Ex.

Witness claims
50 ct -
8 ct 100
.58

This lumber did not look
like new lumber. It was
the overhead loft in the old
house - It was loose, not
fastened.

And further this deponent saith
not
C. F. Cox

Bradley Parsons, another
witness of lawful age, being
first duly sworn, deposes and
says:

I have two calves in
my possession - one I
bought from Lucinda Par-
sons, and the other from
Rolley Morse. I was to
pay Lucinda Parsons \$3
for the calf I bought from
her - said calf was not
sold on the day of sale.

I am a son of the late
John M. Parsons.

All the hay, corn, and oats
left by John M. Parsons at
the time of his death was

was fed to his live stock, except two wagon loads of hay, which ^{Lucinda Parsons} ~~she~~ sold and for which she got \$10.

On the day ^{H. J. Parsons was appointed admr.} ~~of sale~~ there was about 40 or 45 doz. of oats on hand, ~~and that~~ I do not know what these oats were worth per doz.

I guess there was 40 or 45 bushels of corn ~~on~~ the day ~~of sale~~ aforesaid.

There was about 4 or 5 bu. of wheat on hand at the day ~~of sale~~ aforesaid.

I know the pile of lumber that was sawed for a barn pattern, but I do not know whether it is worth what it ~~cost~~ to saw it and put it where it is or not.

My father died the 8th day of Apr., 1893. From the date of my father's death up to the day of sale, my mother, ^{Lucinda Parsons} had in control, use and occupation all the personal property.

At the date of my fathers death there was on hand about 60 doz. of oats; about 60 bu. of corn; and two common stacks of hay. I do not know how much was fed to the live stock before the day of sale.

X Examined

I purchased the calf above spoken of from my mother before the day of my fathers death. I do not know whether my father knew I had purchased said calf or not. I offered to pay my mother for said calf but she would not have any thing.

There are seven children at home with my mother. The youngest is 9 or 10, the 2nd is 13; the 3rd is 18, the 4th is 20, the others are all over 21, and H. T. Parsons is married and ~~lives~~ ^{lives} there.

And further this deponent saith not.

E. B. Parsons.

S. H. Parsons, another witness of lawful age, being first duly sworn, deposes and says:-

That he estimated the corn on hand at the time of John M. Parsons's death at ~~not~~ ^{not} less than 75 ^{bu.} worth 50 cts. per bu. I estimated the oats at something over a 100 doz. ~~of oats~~, worth from 15- to 20 ^{cts.} per doz. There was two timothy stacks of hay, worth \$6 or \$7 per stack, and one stack of millet, worth \$5.

I bid on the sorrel mare on the day of sale; I started the bid on said mare at \$5- My mother bid \$5.25; I next bid \$5.50. Mr Hughes knocked the mare off to my mother at \$5.25. He afterwards said that he did not hear my bid -

I estimated said sorrel mare on the day of

1
sale as being worth \$25. The brown horse, in my opinion, was worth on the day of sale \$50 or \$55. I think the barn pattern on the day of sale ought to have been worth \$45.

After my father's death my mother ~~propose~~ gave me a white calf, and I took it home with me - it had been injured by a hook before I got it - I offered to sell it for \$2 during the summer - kept it till last winter and sold it for \$4. This is the calf for which I am charged \$4, I suppose, as it is the only one I got.

There was some loose plank in an old house. There was 39 plank, 7 in. wide and 9 ft long - about 200 ft, worth \$1.00 per 100 ft. This was no part of the barn pattern, and was not sold on the day of the sale.

X Examined

Said sorrel mare was 13 or 14 years old. The brown horse was 10 years old.

The bid I made on the mare was tolerably low. Chas Orr did not tell me that I would have to bid louder if I wanted to be heard, though Henry Ely did. I did bid louder, but there was no attention paid to my bid. I have no recollection of telling Chas. Orr that I did not care that I did not want the damned old mare ~~any more~~ "no how," nor no words to that effect.

If you thought the old mare was worth \$200 why did you not bid that sum at the store

Ans. I wanted to get her as cheap as I could.

I have never paid for

said calf, nor has any person ever asked me to do so.

I do not know when said lumber was put in said old house. It was put in when the house was built.

I am informed that my brother Green got the old house in the division of my fathers land.

I regard the brown horse as sound though he was lame at one time.

I helped put up a part of the oats. My recollection is that there was 163 or 166 doz. I used about 4 doz. of said oats after they were put up. My father gave them to me. And further this deponent saith not.

S. H. Parsons

Virginia, Lee County, to-wit:

I, A. M. Goins, Special Commr. in the above styled cause, do hereby certify that the foregoing depositions were duly taken before

me under oath, and that the
same were subscribed by the
parties in my presence.

Given under my hand, This
May 17, 1894,

A. M. Goins,
Special Commr.

Lucinda Parsons

vs { Depositions for
L. H. Parsons

H. T. Parson et al

Witness claim

\$ 5. 85

Cumberland Mountain.

Poor Valley Ridge

Lot No. 6.

Lot No. 7.

A 14

Dower 60 A.

Lot No. 1.

Lot No. 2.

Lot No. 3.

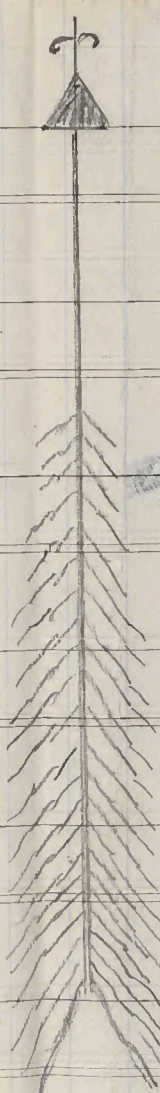
Lot No. 4.

Lot No. 5.

A 13

Lot No. 8

Poor Valley Ridge



Loucinda Parsons

vs } Plat

H. T. Parsons et al

To the Hon. H. L. K. Morrison Judge
of the Circuit Court of Lin Co.

On June 8th 1893 in the
petition of Lucinda Parsons
et al vs H. J. Parsons et al, we,
the undersigned were appointed
by your honor as Commissioners
to go upon the land in said pe-
tition mentioned and set a-
part a sufficient quantity
thereof to amount to \$75⁰⁰ 72⁰⁰
in value as and for a home-
stead for said petitioners.

Now in pursuance to said man-
date we beg leave to report to
your honor that we on the
day of _____ 1893 went
upon said land and after view-
ing, and examining the same very
carefully decided and con-
cluded that all the lands of
which said John M. Parsons died
seised and possessed were not
worth the sum of \$75⁰⁰ 72⁰⁰.
So therefore as and for a
homestead for said petitioners
we hereby assign and set a-
part to them all the lands

of which said John M. Parsons
did seized and possessed &
the same being the land mentioned
in said petition of said petitioners
We consider the land as -
signed as aforesaid to be
worth about \$1000⁰⁰.

All of which is respectfully
submitted. This the 17th day of
October, 1895.

M. L. Stallard
A. K. DeBusk
J. E. Hobbs.

} Commissioners

Bill of costs

M. L. Stallard	1	days	@ \$1.00 =	\$1.00
J. E. Hobbs	1	"	@ \$1.00 =	\$1.00
A. K. DeBusk	1	"	" =	\$1.00
Total				\$3.00

Lucinda Parsons et al

vs } Report of
 } Court.

H. J. Parsons et al

Filed Oct 21 1893,
A. B. Munsey
cl

Lucinda Parsons

vs.

H. T. Parsons et al.

} In Chy.

To the Hon. H. S. K. Morison, Judge
of the Circuit Court for Lee County, Va.

Your undersigned Commissioner, in pursuance of a decretal order of the Circuit Court for Lee County, pronounced on the 17th day of Nov., 1893, having given due notice to all parties concerned, proceeded on the 12th day of Jan., 1894, and on succeeding days thereafter, to execute said order; and his proceedings being at length completed, the result is herewith respectfully submitted.

Your undersigned commissioner, being directed, by said decretal order of Nov. 17th, 1893, to "take and state the account of H. T. Parsons, Admr., of John M. Parsons, deceased, and show what assets went into his hands, or could have gone therein by due diligence, and what debts are owing by said estate, to whom due, and when payable," here submits the results of his investigation on the matters referred to him by said decretal order.

Your Commissioner ascertains from the sale bill filed in the clerk's office of the County Court of Lee County, Va., that said H. T. Parsons has received into his hands, as Administrator of the estate of John M. Parsons, deceased, the sum of \$507.86. Of this sum \$190.96 is the proceeds arising from the sale of the personal property, and is due and payable Jan. 20, 1895; \$281.90 is the amount of various notes executed to John M. Parsons in his life time, and are now due and bearing interest; and \$35 is the amount of outstanding accounts due to said John M. Parsons in his life time. Your Commissioner, not having the various notes and accounts before him at this time, is unable to report the interest due thereon.

There has been filed with your Commissioner, by the creditors of said estate, divers claims, which amount in the whole to about the sum of \$150. These claims, your Commissioner is informed, comprise about the whole of the debts owing by said estate. Your Commissioner

does not report herewith an itemized and full statement of these claims, to whom due &c., from the fact that the creditors, instead of coming before your commissioner and proving their claims, preferred to remain in the country and use the less expensive plan of sending their claims to the Commissioner by mail. Said claims thus received, not being sufficiently proved as required by law, your commissioner does not itemize and report herewith, but estimates the amount thus sent him and returns the same to the owners thereof for the purpose of establishing according to law, if thus they can.

Your commissioner files herewith, as part hereof, a statement marked "A," and although interest is not calculated on the notes and accounts, and although the credits are to some extent estimated, yet he is of opinion that this statement is very nearly correct. It will be seen from this statement, that, after paying all indebtedness, there will still be left in the hands of said Admr.,

for distribution, the sum of \$257.86.

Your Commissioner regrets that he is unable to give a report in this case based on mathematical calculations, and not on estimations; but your Commissioner gave due notice to all parties interested of his action, and they have failed to take notice and come before him in defense of their own interests. What more can he do? Shall he go out and compel them come?

All of which is respectfully submitted, this Feb. 16th, 1894.

A. M. Goins,
Special Commr.

Lucinda Parsons

vs. { Commr's Report.

H. V. Parsons et al.

Filed Feb. 16th 1894.

A. B. Murray
C.

8 hrs.

Commr's fee \$6.00

Lucinda Parsons. et al. Compls
 V.S.
 M. J. Parsons. et al. Defts.

In chancery

To The Honorables H. S. K. Morrison Judge
 of The Circuit Court of Lee Co V.S. upon an
 order emanating from your Honor's Court
 in The above styled Suit directing us your
 commissioners to go upon the lands in the bill
 mentioned and partition the lands of John M
 Parsons, decd. We your commissioners proceeded on
 The 24 day of February 1894. To comply with said
 order. and beg leave to report To your Honor as
 follows. We first surveyed the Home tract
 Beginning on Two Pines & a Blackoak on a ridge
 S $78\frac{1}{2}$ W 123 poles To a chestnut stump old corner
 S 87 W 8 poles To a Hickory and Logwood N 18 W $44\frac{1}{2}$ poles
 To 3 Whiteoaks. N $29\frac{1}{2}$ W 69 poles To a Pine among rocks
 near the Top of the Poor Valley Ridge thence along the
 side of said ridge N 56 E $141\frac{1}{2}$ poles To a small white
 oak. gum & 3 Sowerwoods on a spur. N 30 W 30 poles
 To a chestnut oak on Top of the Poor Valley ridge thence
 with the Top of said ridge N $29\frac{1}{2}$ E $23\frac{3}{4}$ poles N 48 E $17\frac{1}{2}$ poles
 N 71 E 31 poles N $74\frac{1}{2}$ E $17\frac{3}{4}$ poles N $86\frac{1}{2}$ E $13\frac{1}{2}$ poles To a
 Pine Gum and chestnut oak. Thence leaving the Top
 of said ridge. S $32\frac{1}{2}$ E $21\frac{1}{2}$ poles To a Pine and two
 chestnut oaks S 56 W $72\frac{1}{2}$ poles To a Rock S $11\frac{1}{2}$ W $11\frac{1}{2}$
 poles To the Beginning and represented by the figures

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. Containing 147. acres

also another tract lying in the Poor Valley and does not join the other tract in the Surveyed.

it Beginning on a Chestnut oak and Black oak a little on the South side of the Top of the Poor Valley ridge Thence N 23 W 300 poles crossing the Poor Valley to a Chestnut and large Rock on top of the Cumberland Mountain a little East of a gap. Thence with the top of the Mountain N 46 E 24 poles to two Double Pines. Then leaving the Top S 23 E 208 poles to a Rock in the Valley N 72 E 19 1/2 poles to a Rock. S 13 E 70 poles to a Chestnut oak on Top of the Poor Valley Ridge S 64 W 29 1/2 poles to the Beginning and is represented by the Capital letters A, B, C, D, E, F. Containing 43 acres.

We layed off the Lower for Lucinda Parsons, and is represented on the Plat. by the ~~Small letters~~ ~~e. d. c. f.~~ and is Bounded as follows. Beginning on a Rock 27 1/2 poles from the Beginning corner. N 22 W 15 1/2 poles to a Small Black oak at f. on the Side of Poor Valley ridge. Thence with old line S 56 W 71 poles to 2 Small chestnuts at c. Then leaving old line S 22 E 125 poles to a Maple Marked as a line tree and Small Dogwood. Then with the old line N 78 1/2 E 69 1/2 poles to the Beginning containing 60 acres. We then layed off and assigned Lot No 1. To Parris B. Parsons, and is Designated by the figures and Small letters a. 2. 3. 4. 5. 6. and is Bounded as follows Beginning at a Rock in the South line at Small a. N 27 W 122 poles to 4 Small chestnuts S 56 W 23 poles to a Pine

S 29 1/2 E 69 poles to 3 White oaks S 18 E 40 1/2 poles to a Hickory and dogwood. N 87 E 8 poles to Chestnut Stump N 78 1/2 E 15 poles to the Beginning containing 1 1/2 Acres.

We layed off and assigned Lot No 2 To Rebecca M. Parsons, and is designated by the Small letters d. c. b. a. Beginning on a Maple and Dogwood a corner to the Dover and with the Dover line N 22 W 125 poles to 2 Small chestnuts S 56 W 15 poles to 4 Small chestnuts a corner to Lot No 1. and with it S 22 E 122 poles to a Rock. Then leaving Lot No 1 N 48 1/2 E 15 poles to the Beginning containing 1 1/2 acres.

We layed off and assigned Lot No 3. To Mrs S. L. Parsons, and is designated by the Small letter e. f. g. h. Beginning on a Rock on the South line a corner to the Dover, and with the Same. N 22 W 15 1/2 poles to f. Thence leaving the Dover. N 56 E 21 poles to 4 Small Dogwoods S 17 1/2 E 160 poles to Rock on the South line S 78 1/2 W 9 poles to the Beginning containing 14 1/3 acres

We layed off and assigned Lot No 4. To Emel B. Parsons and is designated by the letters and figure i. h. g. b. c.

Beginning on a Rock on the South line S 78 1/2 W 9 poles to a Rock a corner to Lot No 3. and with a line of the Same. N 17 1/2 W 160 poles to 11 Small Dogwoods. Then leaving said Lot. N 56 E 20 poles passing the Small White oak Scum and 3 Sourswoods at b. to a Rock on the dotted line Thence S 74 1/2 E 164 To the Beginning containing 11 1/3 Acres.

We layed off and assigned Lot No 5 To Shelby H. Parsons, and is designated by the figures and letters with 14. Beginning on 2 Pines and a Black oak the

original corner S $78\frac{1}{2}$ W. 9 poles To a Rock, a corner To Lot No 4 and with a line Thereof, N $7\frac{1}{2}$ W 160 poles To a Rock Then leaving said Lot N 56 E 19 poles To a Rock The old corner. Thence with the old line. S $11\frac{1}{2}$ E 167 $\frac{1}{2}$ poles To The Beginning containing 14 $\frac{1}{3}$ acres.

We layed off and assigned Lot No 6 To James E. Parson and is designated by the figures and letter 6. 7. 8. 9 m. 11.

Beginning on a Small Whitewater Burn and 3 Sowerwoods on a ridge old corner. N 30 W 30 poles To a chestnut oak on top of The Poor Valley Ridge at 7. and with the Top N $29\frac{1}{2}$ E 23 $\frac{3}{4}$ poles N 48 17 $\frac{1}{2}$ poles at 9. S 39 E 42 poles To the old line at a Rock some bushes marked as pointers S 56 W passing the Rock corner the original at 18 poles 44 poles To the Beginning containing 10 acres.

We layed off and assigned To Emley J. Parson, Lot No 7 and is designated by the figures and letter m. 9. 10 11. 12. 13. Beginning on a rock bushes marked as pointers a corner to Lot No. 6. and with it. N 39 W 42 poles To a Rock on top of The Poor valley ridge at figure 9. Then with the Top of said ridge. N 71 E 31 poles N $74\frac{1}{2}$ E 17 $\frac{3}{4}$ poles N $86\frac{1}{2}$ E 13 $\frac{1}{2}$ poles To Pine Burn & Chestnut oak. Then leaving The Top of said ridge S $32\frac{1}{2}$ E 21 $\frac{1}{2}$ poles To a Pine and 2 Chestnut oaks. S 56 W. 54 $\frac{1}{2}$ poles. To The Beginning containing 10 acres.

We assigned The piece of land That layes in The Poor valley To H. J. Parson, which is No 8 and is Bounded as follows and designated by capitals letters A. B. C. D. E. F.

~~By~~ ⁱⁿ the boundary of this tract look on first Page of this report. it contains 43 acres are considered ~~it~~ ^{not} more than equal to the others shares. There is a part of this land that is not worth but very little.

We direct a passway for lot No 7. on No 6. and No 5. at the Rock of the original Survey then along the old line some distance then winding west to the pass road as it now is down to the foot of the ridge then along the lower line to the Road that passes through the Valley for the benefit of those Lots mentioned to trail out and for benefit of water ^{at all of heirs at Spring near the Mansion House.} all of the lots has a sufficient of timber. We Your Commissioners have complied with said Order as in our judgment for those interested We file a Plat herewith making it a part of our report. All of which is respectfully Submitted.

L. L. Elliott com & Surveyor
 W. P. M. Stewart com
 E. W. Cecil com.

Plus

C. G. Elliott To Surveying 2.75 \$15.00

W. P. M. Stewart corn, 4 days at 2.50

E. W. Cecil corn, 11 days 8.50

H. J. Parsons. Wagon 4 .. 8.00

James C. Parsons. chairman 4 .. 8.00

Ernest B. Parsons. chairman 4 .. 8.00

Licenda Parsons. bunding 5.00
\$60.00

C o. C 3,65.

Loucinda Parsons
vs Comrs Report
W. T. Parsons et al

Filed Feb 28th 1894
A B Munsey

Comrs Fee & c^t \$60.00

Lucinda Parsons

vs.

H. T. Parsons et al. } In Chy.

To the Hon. N. T. Miller, Judge of
the Circuit Court for Lee County, Va.

Your undersigned Special Commr.,
in pursuance of a decretal order
of the Circuit Court for Lee County,
pronounced on the 15th day of March,
1894, in the above styled cause, hav-
ing given due notice to all par-
ties concerned, proceeded on the
25th day of Apr., 1894, and on suc-
ceeding days thereafter, at his of-
fice in the town of Jonesville, to ex-
ecute said order; and the proced-
ings having been thence forward
regularly adjourned from day to
day, and being at length completed,
the result is herewith respectfully sub-
mitted.

Your Commr. is directed by said
decree of Mar. 15, 1894: (1), to convene
the creditors of John M. Parsons, dec'd,
and ascertain the outstanding
indebtedness against his estate,
to whom due, the amount thereof
&c.; (2), to take, state and settle the
Administration account of H. T.
Parsons, Admr. &c., charging him
with what effects, if any, went into
his hands, or might by due dili-

gence have gone therein, giving him credit for all proper disbursements; (3), to ascertain and report whether or not all of said property was sold by said Admr.; (4), when the decedent died; (5), when the Admr. qualified; and (6), in what manner he has managed said estate.

Your Court. will refer to these several enquiries seriatim as above numbered.

(1), Your Court. files herewith as part hereof, marked "A", a statement which shows a full and complete list, as produced before him, of the outstanding indebtedness against the estate of John M. Parsons, dec'd. to whom such is due, the amount thereof &c. It will be seen from said statement, that there is outstanding against said estate, due as of June 4, 1894, \$101.25.

(2), Your Court. files herewith as part hereof, marked "B", a statement of the Administration acct. of H. T. Parsons, Admr. of the estate of John M. Parsons, dec'd. This, as your Court. considers, is a just and accurate statement of the administration acct. of said Admr.

(3), Your Court. ascertains that all property belonging to said estate,

which it was the Administrator's duty to sell, was accordingly sold. A portion of said property, as will be seen from the sale bill, herewith filed marked "8," was sold at private sale, and another portion was taken by the widow at the appraised value; but your cour. is of the opinion that the property thus disposed of brought as high a price, if not a higher one, than if it had been sold at public sale.

(4), Your cour. ascertains that said John M. Parsons died Apr. 8, 1893.

(5), H. T. Parsons qualified as Admr. at the May term, 1893, of the county court.

(6) Your cour. is of the opinion that said Admr. has managed the estate of his decedent as well as it was possible for him to manage it under existing circumstances. It will be seen from the papers in this case that John M. Parsons died on the 8th day of Apr. 1893, and that H. T. Parsons qualified as the Admr. of his estate at the May term of the county court thereafter, but that the property of said estate was not sold until the 20th day of Jan., 1894. It would seem, from the time intervening between the date of the qualifying of

the Admr. and the date of sale of the property; that the Admr. had been neglectful in his duty; but when it is seen that Lucinda Parsons, shortly after the death of her husband, instituted her homestead proceedings, whereby she attempted to ~~hold~~ all of the personal property, and that said proceedings were not settled until the Nov. term ⁽¹⁸⁹³⁾ of this court, then it will seem clear that the Admr. only acted the part of a cautious man. The only acts of said Admr. that your court thinks deserves censure is in the instances spoken of in the depositions of E. H. and J. M. Cecil, where the Admr. asked them to plead the statute of limitation on the debts they owed the estate of his decedent and then pay the same to his mother. Such acts as these may deserve praise on the part of a son, but they certainly do not on the part of a fiduciary.

It will be seen from statement "B" that your court charges the Admr. with \$1.75 on E. H. Barker, \$2.25 on J. M. Cecil, and \$2.00 on C. D. Orr, that are not accounted for by the Admr. These debts your court

reports in said statement solely from the fact that said parties came forward and state in their depositions that they consider that they owe said mts. These debts were of such a nature that the Admr. could not have forced their collection by law, if he had known of their existence, and the evidence clearly shows that he did not know of two of said debts until very recently—since the sale.

In conclusion, your cour. desires to state that the whole of the mass of depositions and the wrangle that has been produced before him to show that the Admr. has not properly accounted or performed his duty, is a farce, a-much-a-do-about-nothing, a family quarrel, and the party who is the instigator ought to be required by this court to pay the extra costs.

All of which is respectfully submitted, this May 22, 1894.

A. M. Goins,

Special Coun.

—H—

1894 June 11th

The within report is excepted to because it does not correctly represent the facts. Lucinda Parson was not alone, in her flimsy claims and pretense for a Homestead, she was joined in with by the agent, and he was the active one to cause the delay & then the Commissioner call him a prudent man.

2 The same the proof shows the agent to have been a partial and one sided man and so plain was his act of wickedness in trying to screen a part of the being and lay a burden on others that the Commissioner has to admit it - and apologize for him.

3 Finally having failed to charge taxes properly with all the debts he should pay to the Co. *A. B. Ramsey*

for cost.

Lucinda Parsons

Comr's Report.

H. C. Parsons et al.

Filed May 22, 1894,

A. B. Ramsey Co.

Comr's fee \$24.00

H. T. Parsons, Admr.,

In Account with
The Estate of John M. Parson, Decd.

| | | Dr. | Cr. |
|-----------------------------------|--|----------|----------|
| 1894,
Jan. 20. | To amt. of Sale Bill, due Jan. 20, 1895, | \$190 96 | |
| " | " " Notes, (various dates), | 281 90 | |
| " | " " Accounts, | 35 00 | |
| By | Estimated Commissions of Admr., | | 50 00 |
| " | " " Outstanding Indebtedness, | | 150 00 |
| " | " " Costs of this suit, | | 50 00 |
| " | Balance due Estate, to square, | | 257 86 |
| | | \$507 86 | \$507 86 |
| To Balance due Estate bro't down, | | \$257 86 | |

Admir's Acct.

"A."

John M. Parsons, deceased.
In acct with
His Creditors.

| | | | | |
|----|--|-----------------|------|----------|
| A. | To open acct. due S. L. Stallard for medical attendance in last illness, Apr. 4 th , 1893,
Int. on same from Apr. 4, '93, to June 4, '94,
See copy of acct. marked "A." | 20 00
✓ 1 40 | | 21 40 |
| B. | To open acct. due A. K. Debush, Apr. 8, 1894,
Int. from Apr. 8 th , 1893, to June 4, 1894,
See copy of acct. marked "B." | 14 91
✓ 1 05 | | 15 96 |
| C. | To open acct. due J. L. Oakly, Feb. 15, 1893,
Int. from Feb. 15, 1893, to June 4, 1894,
See copy of acct. marked "C." | 20 11
✓ 1 70 | | 21 81 |
| D. | To open acct. due A. J. Litton, Mar. 25, '93,
Int. from Mar. 25, 1893, to June 4, 1894,
See copy of acct. marked "D." | 2 87
✓ 20 | | 3 07 |
| E. | To open acct. due Jno. A. Taylor, Dec. 1, '92,
Int. from Dec. 1, 1892, to June 4, 1894,
See copy of acct. marked "E." | 26 20
✓ 2 37 | | 28 57 |
| F. | To open acct. due T. R. Astor, Jan '94,
Int. from Jan. (31) 1893, to June 4, 1894,
See copy of acct. marked "F." | 4 81
✓ 38 | | 5 19 |
| G. | To open acct. due S. V. F. Richmond, clk,
Mar. 5, 1894,
See copy acct. marked "G." | ✓ 2 25 | | 2 25 |
| H. | To open acct. due J. E. Hobbs, J. T. Hughes and R. F. Oakly for appraising personal property, Jan. 20, 1894, \$1.00 each,
Total outstanding indebtedness as of June 4, '94 | 3 00 | 3 00 | \$101 25 |

John M. Parsons, dec'd
In acct with
His Creditors.

A.

\$101.25.

H. T. Parsons, Admr.,

In acct. with

The Estate of John M. Parsons, decd.

Dr. Cr.

| | | | | |
|------------------|--|----------|---|----------|
| 1894,
Jan. 20 | To amt. of Sale Bill, due Jan. 20, 1893, | 190 96 | ✓ | |
| | " Note on H. T. Parsons, dated Jan. 1, 1893, | 100 00 | ✓ | |
| | " Int. on same from Jan. 1, 1893, to June 4, 1894, | 8 55 | ✓ | |
| | " note on J. L. Oakley, dated Nov. 16, 1891, | 84 90 | ✓ | |
| | " Int. on same from Nov. 16, 1891, to June 4, 1894, | 7 89 | ✓ | |
| | " note on B. F. Cox, dated Feb. 22, 1892, | 75 00 | ✓ | |
| | " Int. on same from Feb. 22, 1892, to June 4, 1894, | 5 70 | ✓ | |
| | " note on E. M. Cecil, dated June 1, 1892, | 17 00 | ✓ | |
| | " Int. on same from June 1, '92, to June 4, '94, | 2 04 | ✓ | |
| | " note on Andrew Belcher, dated Mar. 28, '94, | 5 00 | ✓ | |
| | " Int. on same to June 4, '94, from Mar. 28, '92, | 65 | ✓ | |
| | " Acct. against E. M. Cecil, | 15 00 | ✓ | |
| | " " " J. M. Cecil, | 10 00 | ✓ | |
| | " " " R. W. Mors, | 10 00 | ✓ | |
| | " " " C. M. Barker, (for bull service), | 1 75 | ✓ | |
| | " " " J. M. Cecil, (bacon acct.), | 2 25 | ✓ | |
| | " " " C. D. Orr, (for bull service), | 2 00 | ✓ | |
| | By 10% Commission on \$538.96, | | | 53 89 |
| "1" | " Receipt of M. L. Stallard, M.D., medical attendance in last sickness, Jan 29, '94, | | | 5 00 |
| "2" | " Receipt of Hale & Wood Mfg Co., coffin for J. M. Parsons, Apr. 11, 1893, | | | 18 00 |
| "3" | " Receipt of J. P. Myres, J.P., qualifying appraisers, Mar. 26, 1894, | | | 75 |
| | " Bal. to square, | | | 461 05 |
| | As of June 4, 1894, | \$538 69 | | \$538 69 |
| | To Bal. to square bro't down, | \$461 05 | | |

H. T. Parsons, Adminr.
In acct. with
The Estate of John M.
Parsons, dec'd.

\$461.05-

"B"

461.05-
101.25-
\$359.80

Appraise

Bill

Recorded Will Book
No 4 Page 179

Filed Feb'y 16 "94

| | |
|---------------------------|------|
| One watch | 5.00 |
| One candlestand. | .10 |
| Four chairs | .75 |
| Five plates | .10 |
| One Sheep skin | .75 |
| Two sides of leather | 2.00 |
| One sheep skin | |

This 20 day of Jan 1894

John T. Hughes & Joshua Hobbs & Richard Oakley
 Personally appeared before me, ^{J. P. Myers, J.P.} and taken
 the oath to appraise the, Est of J. M. Parsons & Co
 to the best of there knowledge

J. P. Myers. J.P.
 the appraisers names

J. T. Hobbs.
 J. T. Hughes.
 R. F. Oakley.

Virginia de county to wit;

In the office of the clerk of the
 said county the 16th Day of Feb, 1894
 the foregoing appraisement Bill
 of the personal property of John M. Parsons
 deceased was this Day filed in this
 office and admitted to record.

Teste: J. V. F. Richmond Clerk

We the undersigned appraisers of
the property of John M Parsons &c.
after being duly sworn do
proceed to appraise the aforesaid
property viz.

| | |
|---------------------------------------|---------|
| One Brown horse | \$30.00 |
| One Sorel mare | \$20.00 |
| One Pided cow | \$12.00 |
| One heifer | \$10.00 |
| One old red cow | \$5.00 |
| One calf | \$2.00 |
| One calf | \$1.50 |
| 5 Sheep Seven and one half | \$7.50 |
| One barn pattern. | \$25.00 |
| Gerrings One wagon. | 20.00 |
| One turning plow | 1.50 |
| One hill side plow | 2.00 |
| Wagon One harrow | 1.50 |
| Two sleyth & Cradles | 1.50 |
| One lock chain | .50 |
| One double plow | .50 |
| Two singl plows | .20 |
| Two bea gumes | 3.00 |
| Two pitch forpes | .30 |
| Two saws | 2.00 |
| One saddle | .50 |
| One reel | .20 |
| Bunch of irons | .15 |
| One clock | 1.50 |

Appraise

Bill

Recorded Will Book
No 4 Page 179

Filed Feb'y 16 "94

Account of Sales.

1894 Account of sales made by H. T. Parsons
 Jan. 20. Administrator of John M. Parsons dec'd.
 also all notes and accounts.

| | | | | | | |
|------|---------------------------------------|---|---|---|---|---------|
| One | sorrel mare bought by Lucinda Parsons | | | | | \$5.25- |
| " | brown horse | " | " | " | " | 30.00 |
| " | heifer | " | " | " | " | 10.00 |
| Five | sheep | " | " | " | " | 7.50 |
| One | barn pattern | " | " | " | " | 25.00 |
| " | wagon and gearing | " | " | " | " | 20.00 |
| " | turning plow | " | " | " | " | 1.50 |
| " | hill-side | " | " | " | " | 2.00 |
| " | harrow | " | " | " | " | 1.50 |
| Two | scythes and cradles | " | " | " | " | 1.50 |
| One | double. plow | " | " | " | " | .50 |
| " | lock chain | " | " | " | " | .50 |
| Two | pitch forks | " | " | " | " | .30 |
| One | cross cut saw | " | " | " | " | 1.00 |
| " | saddle | " | " | " | " | .50 |
| " | bee stand | " | " | " | " | .50 |
| | some irons | " | " | " | " | .30 |
| Four | chairs | " | " | " | " | .30 |
| Six | plates | " | " | " | " | .06 |
| One | reel | " | " | " | " | .20 |

| | | | | | | |
|--|--|---|---|------------------|---|-----------|
| " | clock | " | " | " | " | 1.50 |
| " | watch | " | " | " | " | 5.00 |
| Two | sides of leather | " | " | " | " | .50 |
| One | spotted cow | " | " | Wm S. Parsons, | | 14.00 |
| " | red cow | " | " | J. L. Slaughter, | | 10.00 |
| Two | calves | " | " | J. H. Scott, | | 3.00 |
| " | plow stocks | " | " | J. E. Parsons, | | .15 |
| One | cross cut saw | " | " | V. R. Aistrop | | .50 |
| " | bee stand | " | " | W. P. M. Stewart | | .60 |
| " | candlestand | " | " | J. T. Hughes, | | .05 |
| " | Sheep skin | " | " | Jas. E. Parsons | | .75 |
| <u>Stock and articles sold before sale</u> | | | | | | \$ 144.46 |
| One | heifer bought by Wm V. E. Slemph, | | | | | 14.00 |
| " | steer killed by train | | | | | 10.00 |
| " | " bought by Samuel Cecil | | | | | 8.50 |
| " | heifer given to S. H. Parsons. | | | | | 4.00 |
| Two | wagon-loads of hay, bought by H. L. Sprinkle | | | | | 10.00 |
| | | | | | | \$ 46.50 |

A list of Notes

| | | | |
|-----|-------------------------------------|--------------|-----------|
| One | note on H. T. Parsons, given Jan. 1 | 1893 | \$ 100.00 |
| " | " " J. L. Oakley | Nov. 16 1891 | 84.90 |

| | | | | | | |
|-----------|---|---|------------------|---|---------------|----------|
| " | " | " | F. B. Cox | " | Feb. 22. 1892 | 7.5.00 |
| " | " | " | E. W. Cecil | " | June 1 1892 | 17.00 |
| " | " | " | Anderson Belcher | " | March 28 1892 | 5.00 |
| Accounts, | | | | | | \$281.90 |

| | | | | |
|-----|---------|---------|-------------|---------|
| One | account | against | E. W. Cecil | 15.00 |
| " | " | " | J. M. Cecil | 10.00 |
| " | " | " | R. W. Mars. | 10.00 |
| | | | | \$35.00 |

I, H. T. Parsons, administrator of the estate of John, M. Parsons De'd. do certify, to the best of my knowledge and belief, that the above inventory is a correct statement of all the personal property, notes and accounts that came into my hands, out of the estate aforesaid. Given under my hand this 29th day of January 1894 Harvey Young N. P.

Virginia Lee County to wit;

In the office of the Clerk of the said County the 16th Day of February 1894 the foregoing Sale Bill of the personal property of John M. Parsons Deceased was this day filed in this office and admitted to record

Teste: S. D. F. Richmond Clerk

Inventory etc.

Sale Bill

\$507.86

Recorded in Mill Book
No 4 Page 179

Filed Feb'y 16" 1894

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU TO SUMMON

X E W Cecil X Y M Cecil X James C Parsons X Joseph Ely (Porter) X M F Cox X Emily J Parsons X met B Parsons X M Barker and X Loucinda Parsons
to appear before ~~the Judge of our~~ *a M Counsa coun of the* Circuit Court of Lee County, at ~~the court house~~ *his office in the town of Jonesville* on the ~~25th~~ *25th* day of *April* 1894, to testify and the truth to say in behalf of ~~the~~ *S H Parsons*

_____ in a certain matter of controversy in our said Court,
before the said Judge depending and undetermined between _____

Loucinda Parsons Plaintiff
and _____

H. T. Parsons Defendant :

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,
the *16th* day of *April* 1894, and in the *11 8th* year of
the Commonwealth.

A B Munsey Clerk.

Loucinda Parsons

VS

} SUBPENA
FOR
WITNESS.

H. T. Parsons

Circuit Court, the 25th day of

April 1894.

Executed by
Sumner all the
within witness
of this Sumner
this Apr 24/94

L. M. Wade

D. S. for C. C.

W. H. Lantry

S. L. C.

The Commonwealth of Virginia,

Constable

To the ~~Sheriff~~ of the County of Lee, Greeting:

WE COMMAND YOU TO SUMMON

J. T. Hughes

A M Goins a special commr at his office in Jonesville
to appear before the ~~Judge~~ of our Circuit Court of Lee County, at the court-house thereof on the *3rd*
day of *May* 189*4*, to testify and the truth to say in behalf of the *H*

H. T. Parsons

in a certain matter of controversy in our said Court,
before the said Judge depending and undetermined between

Loucinda Parsons

Plaintiff

and

H T Parsons et al

Defendant :

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,

the *30th* day of *April* 189*4*, and in the *11^{8th}* year of
the Commonwealth.

A B Munsey Clerk.

H. T. Parsons

Ads

SUBPENA
FOR
WITNESS.

Loucinda Parsons

Circuit Court, the 3rd day of

May 1894.

Executed May
the 1-1894 by Sumner
J. T. Hughes to file
at said Court on the
3rd of May 1894 as a
witness by J. P. Ely
J. T. H.